

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ERICK DONTAY GRAYSON,

Plaintiff,

v.

LAURA PEREZ, et al.,

Defendants.

Case No.: 1:24-cv-00311-KES-SKO

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS TO DISMISS ACTION
FOR PLAINTIFF'S FAILURE TO OBEY
COURT ORDERS AND FAILURE TO
PROSECUTE

Doc. 12

Plaintiff Erick Dontay Grayson is proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Docs. 1, 9. This matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On May 9, 2024, the assigned magistrate judge screened plaintiff's complaint and found that it failed to state a claim upon which relief could be granted. Doc. 10 at 7. In the screening order, the magistrate judge gave plaintiff the opportunity to either amend his complaint or file a notice of voluntary dismissal. *Id.* at 8. Plaintiff failed to file an amended complaint or notice of voluntary dismissal. *See* Docket. On June 11, 2024, the magistrate judge recommended this action be dismissed for plaintiff's failure to obey court orders and failure to prosecute. Doc. 12. Plaintiff did not file any objections.

On December 20, 2024, the Court ordered plaintiff within thirty days to file a notice

1 stating his intention to stand on his initial complaint, to file an amended complaint, or to
2 voluntarily dismiss the action. Doc. 13 at 3. More than thirty days have passed, and plaintiff has
3 not taken any action.

4 In accordance with 28 U.S.C. § 636(b)(1), this Court conducted a de novo review of this
5 case. Having carefully reviewed the matter, the Court finds the findings and recommendations to
6 be supported by the record and proper analysis.

7 Accordingly, IT IS ORDERED:

- 8 1. The findings and recommendations issued on June 11, 2024, Doc. 12, are ADOPTED
9 in full;
- 10 2. This action is DISMISSED without prejudice for plaintiff's failure to obey court
11 orders and failure to prosecute; and
- 12 3. The Clerk of the Court is directed to vacate all pending motions and deadlines and to
13 close this case.

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16 IT IS SO ORDERED.

17 Dated: January 28, 2025


UNITED STATES DISTRICT JUDGE